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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,677	12/04/2003	Yan Liu	R74.12-0001	8475

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EXAMINER

APANIUS, MICHAEL

ART UNIT	PAPER NUMBER
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3736

MAIL DATE	DELIVERY MODE
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09/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/727,677

Applicant(s)

LIU ET AL.

Examiner

Michael Apanius

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-10, 15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-10, 15 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/2/2007 has been entered. The amendments to claims 1-6, 8-10, 15 and 16 and the amendments to the specification are acknowledged.

Specification

2. The disclosure is objected to because of the following informalities. The abstract is not written in complete sentences. The sentence beginning, "the shortcomings of this patent" in the amendment to the paragraph commencing on page 3 of the amended specification and ending on page 6 of the clean copy should be deleted. This sentence is located immediately after the substantial deletion of the material previously added to the specification. Appropriate correction is required.

Claim Objections

3. Claims 1-6, 8-10, 15 and 16 are objected to because of the following informalities:

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- a. It appears that the recitations of "inventor" in the claims should be spelled --inverter--.
- b. At claim 1, line 3, it appears that the language should particularly recite what comprises the follow elements.
- c. At claim 1, line 5, it appears that "testees" should be --testee's--.
- d. At claim 1, line 15, it appears that "and" should be deleted to be consistent with the previous recitation of "a weighing signal processing circuit".
- e. At claim 1, line 20, it appears that "a capacitance grid sensor" should be --the capacitance grid sensor--.
- f. At claim 1, line 33, it appears that "capacitance" should be --capacitors--.
- g. The last two lines of claim 2 appear redundant with lines 17-20 of claim 1.
- h. The last limitation of each of claims 3 and 4 appear redundant with lines 21-25 of claim 1.
- i. At claim 4, lines 2 and 3, it appears that "Ra2" and "Ra1" should be in parentheses.
- j. The last two lines of claim 5 appear redundant with lines 26-28 of claim 1.
- k. At claim 6, line 3, it appears that --the apparatus-- should be inserted before "comprising".
- l. At claim 6, line 9, it appears that "dielectric" is misspelled.
- m. At claim 8, line 4, it appears that "Cm" and "Ca" should be in parentheses.
- n. At claim 10, line 2, it appears that "the" should be deleted.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-6, 8-10, 15 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. At claim 1, line 13, "said method" lacks proper antecedent basis in the claim because claim 1 previously recites more than one method.
7. At claim 1, lines 14-15, it appears that "the body weight signals from the weighing signal and processing circuit" lacks proper antecedent basis in the claim. Note that claim 1, lines 29-30 also state, "the body frequency signals coming from the weighing signal processing circuit". Note that any clarification of this claim language should be supported by the original disclosure.
8. At claim 1, lines 30-31, it appears that "the oscillating frequency signals related to dielectric constant of body tissues under the skin" lacks proper antecedent basis in the claim. Note that claim 1, lines 18-19, previously recites, "oscillating frequency related to dielectric constant of body tissues under the skin".
9. At claim 1, line 32, it is unclear if "body impedance signals corresponding to the non-fixed different frequencies" is the same as the "several oscillating signals with non-fixed different frequencies related to body impedance" as set forth in lines 27-28.
10. At claim 1, line 33, "I/O interfaces" is stated. At claim 1, line 36, "I/O interface" is stated. Therefore, it is unclear if there is only one or multiple I/O interfaces.

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11. At the first line of claims 2-5, it is unclear which method set forth in claim 1 is being recited.

12. At claim 3, lines 1-2, several elements ("the input end" and "the output end of the another inverter") lack proper antecedent basis in the claim.

13. At claim 3, lines 3-5, "connecting a series wound circuit ... between the connection and an input end of the one inverter" is stated. However, figure 11 shows the series wound circuit connected between the connection and the input end of the another inverter. It is unclear if "the one inverter" in line 5 of the claim should be --the another inverter--. Claim 9 is similarly indefinite.

14. At claim 5, line 3, it is unclear how many capacitors are required by the claim language because "C1, C2, Cn" is indefinite.

15. At claim 6, lines 13-14, "to provide an impedance signal only to said positive feedback RC oscillator circuit" is stated. It is unclear if *only an impedance signal* is provided to said positive feedback RC oscillator circuit or if an impedance signal is provided *only to said positive feedback RC oscillator circuit*.

16. At claim 8, lines 5-6, "the another inverter" lacks proper antecedent basis in the claim.

17. At claim 8, line 7, "ends of the series circuit are respectively connected" is unclear. The ends of the series circuit were not previously recited so the use of the term "respectively" is unclear.

18. At claim 8, line 8, "the input end of the one inverter" lacks proper antecedent basis in the claim.

19. At claim 9, line 3, "the output end of another inverter" lacks proper antecedent basis in the claim.

20. At claim 9, lines 5-6, "a series-wound circuit comprising a resistor (Ra) and a body impedance (Rm) is introduced" is stated. It is unclear what is meant by "introduced" and it is noted that a series wound circuit has already been connected as set forth previously in claim 9.

21. The components of the "series-parallel circuit" set forth in claim 10 are inconsistent with the components shown in figure 12.

22. At claim 16, lines 1-2 states, "said display unit includes an infrared emitter comprising an infrared signal transmitting circuit". This language is unclear because it appears that the display unit includes an infrared signal transmitting circuit which in turn includes an infrared emitter (see portion of the specification describing figure 15 on page 11 of the marked-up copy of the substitute specification). Since the claim language appears to be inconsistent with the specification, the claim is indefinite.

23. At claim 16, line 9, it appears that "port" needs to be better defined in the claim language. It is unclear if this is the same port as the "one port of the infrared emitter" previously recited.

Allowable Subject Matter

24. Claims 1-6, 8-10, 15 and 16, as best understood, appear to be allowable over the prior art of record. However, it is noted that clarification of the claim language may require further search and consideration.

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Response to Arguments

25. Upon further consideration, the previous rejection under 35 U.S.C. §103 based on the combination of Yoshida in view of Amerena is withdrawn.


Conclusion

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Apanius whose telephone number is (571) 272-5537. The examiner can normally be reached on Mon-Fri 8am-4:30pm.

27. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on (571) 272-4726. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

28. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MA


MICHAEL APANIUS
Examiner
Art Unit 3736
Patent Office